UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

RUSSELL BECKMAN,

      Plaintiff,

      v.   Case No. 20-C-1259

LOUIS DEJOY,

      Defendant.

ORDER

Plaintiff Russell Beckman filed this action against Defendant Louis DeJoy, the United States Postal Service Postmaster General, on August 17, 2020. This matter comes before the court on Plaintiff's motion to dismiss the action and motion for an order directing reimbursement of the court filing fee. Pursuant to Federal Rule of Civil Procedure 41(a), a plaintiff may voluntarily dismiss his case when no answer or motion for summary judgment has been filed by an adverse party. Because Defendant has not filed an answer in this case, Plaintiff may dismiss this action.

Plaintiff also seeks the return of the $400 filing fee he paid in this case and alternatively requests that the court direct Defendant to reimburse Plaintiff for the fee. "Filing fees are part of the cost of litigation." *Lucien v. DeTella*, 141 F.3d 773, 775 (7th Cir. 1998) (citation omitted); *see also Jackson v. Foster*, Case No. 14-CV-1194, 2015 WL 5918624, at *1 (E.D. Wis. Oct. 9, 2015) ("Congress requires courts to charge filing fees in exchange for allowing parties to file certain documents. The fee does not guarantee a particular outcome, nor does it guarantee that the case will proceed in a particular manner. Parties pay a filing fee for the privilege of *filing* the complaint." (emphasis in original)). The court concludes that Plaintiff was properly charged the

standard filing fee for a new civil action and thus his filing fee will not be returned. In addition,

there is no basis upon which to direct Defendant to reimburse Plaintiff for the fee.

 IT IS THEREFORE ORDERED that Plaintiff's motion to dismiss is **GRANTED**. This

action is **DISMISSED without prejudice**.

 IT IS FURTHER ORDERED that Plaintiff's motion for reimbursement of the court filing

fee is **DENIED**.

 Dated at Green Bay, Wisconsin this 28th day of September, 2020.

s/ William C. Griesbach
William C. Griesbach
United States District Judge